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MAR 16 2005

<b>To:</b>	USPTO Examiner Vivian Chen Art Unit 1773	<b>From:</b>	Claire Wygand for Cathy R. Moore Phone: (704) 365-4881 Fax: (704) 365-4851
<b>Fax:</b>	(703) 872-9306	<b>Pages:</b>	16 pages total  Transmittal facsimile cover sheet (1 page)  Fee Sheet (1 page)  Terminal Disclaimer (1 page)  Amendment (13 pages)
<b>Phone:</b>		<b>Date:</b>	March 16, 2005
<b>Re:</b>	Application No. 10/760,987  Filed January 20, 2004  Our Ref.: 03/007MFE  Response to Office Action dated 12/17/04	<b>CC:</b>	

Dear Examiner Chen,

Attached are the documents as indicated above.

Respectfully submitted,

*Claire Wygand*

Claire Wygand

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 120.00)

## Complete If Known

Application Number 10/760,987

Filing Date Jan. 20, 2004

First Named Inventor Oliver KLEIN

Examiner Name Vivian Chen

Art Unit 1773

Attorney Docket No. 03/007MFE

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number 50-2193

Deposit Account Name ProPat, LLC

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
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## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1062	60	2062	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	

1251	110	2251	55 Extension for reply within first month
1262	420	2252	210 Extension for reply within second month
1253	960	2253	475 Extension for reply within third month
1254	1,480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to Institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	460	2502	240 Design issue fee
1503	840	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1808	180	1808	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(e))
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application

Other fee (specify) 130.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Cathy R. Moore	Registration No. (Attorney/Agent)	46,764	Telephone	704 365-4881
Signature	Cathy R. Moore			Date	March 16, 2005

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 03/007 MFE  
Customer No. 38263

MAR 16 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Klein *et al.*

Group Art Unit: 1773

Application No.: 10/760,987

Examiner: V. Chen

Filed: January 20, 2004

Confirmation No.: 3479

For: POLYESTER FILM HAVING  
IMPROVED OXYGEN BARRIER, COMPRISING  
POLY(M-XYLENEADIPAMIDE)AND  
A BARRIER COATING, PROCESS FOR ITS  
PRODUCTION AND ITS USE

AMENDMENT

Commissioner for Patents  
Alexandria, VA 22313-1450

Charlotte, North Carolina  
March 16, 2005

Dear Sir:

In response to the non-final Office Action dated December 17, 2004, kindly consider the following amendments and remarks. In addition, Applicants submit herewith a terminal disclaimer to be charged to Deposit Account 50-2193.

Amendments to the Claims are reflected in the listing of claims which begins on Page 2 of this paper.

Remarks begin on Page 5 of this paper.